

THE STATE FISCAL SERVICE OF UKRAINE

To the Heads of Custom's Houses

Concerning using of TIR Carnets

According to the Order of the Cabinet of Ministers of Ukraine dated of 12.09.2014 № 34192/1/1-14 and guided by the Interdepartmental Commission on International Trade's decision on the recognition of discriminatory and unfriendly actions by the customs authorities of the Russian Federation regarding the unilateral restriction of using of TIR Carnets on the territory of the Russian Federation by Ukrainian transport operators - holders of TIR Carnets (letter of the Ministry of Economic Development and Trade of Ukraine dated of 17.09.2014 №4413-06/32225-03), we would like to inform about the following.

As at September 30, 2014 actions of the national guaranteeing association of the Russian Federation (ASMAP of the Russian Federation) do not meet the minimum conditions and requirements set out in Article 6 and Annex 9 of the Customs Convention on the International Transport of Goods under Cover of TIR Carnets, 1975 (hereinafter - the TIR Convention). It may have a negative impact on reimbursement procedure of mandatory customs payments to the state budget of Ukraine in the case of the non-delivery of the goods to the destination custom's houses.

Thus, in order to avoid causing economic losses to Ukraine, and guided by the provisions of Articles 60, 62 of the Vienna Convention on the Law of Treaties, 1969, the acceptance to the customs clearance of TIR Carnets, issued by the ASMAP of the Russian Federation, should be temporarily ceased starting from 12 a.m. of October, 2, 2014 and until providing by the ASMAP of the Russian Federation all mandatory minimum conditions and requirements under the TIR Convention.

The provisions of this letter should be forwarded to cargo carriers, customs brokers and applicants, economic operators, as well as all other stakeholders through the awareness-raising and publishing on the information boards.

The letters of the State Fiscal Service of Ukraine dated of 01.10.2014 №99-24/01-01-08/4555 and dated of 06.10.2014 № 6389/7/99-99-24-01-08-17 should be considered as invalid.

Deputy Chairman

Anatolii MAKARENKO